

SN. 10/647,667

ATTORNEY DOCKET NO. KIOI:032

REMARKS

Claims 1-5 remain pending in this application for which applicants seek reconsideration.

Amendment

Claims 1-5 have been amended to improve their form and remove the informalities identified by the examiner. Specifically, the claims now omit the term "type." Further, claims 1 and 5 define the meaning of "a reverse rotation" for added clarity. No new matter has been introduced.

Art Rejection

Claims 1-5 were rejected under 35 U.S.C. § 102(b) as anticipated by Sakakibara (USP 5,924,450). Applicants traverse this rejection because Sakakibara would not have disclosed or taught the claimed pulley reverse rotation detecting means and line pressure correcting means or the torque-down controlling means as set forth in independent claims 1 and 5.

Just before a vehicle is put in a forward motion after it is stopped while traveling up a hill, the vehicle rolls backwardly down the hill slightly. Similarly, just before the vehicle is put in a reverse motion after it is stopped while traveling up the hill in a reverse direction, the vehicle rolls forwardly down the hill slightly. The roll caused by gravity applies a reverse torque to the output shaft of the CVT, rotating the pulleys in the reverse direction. In other words, the pulleys undesirably reverse the direction of their rotation, opposite to the direction they are intended to run. Under such a condition, the hydraulic pressure balance between the primary pressure and the secondary pressure becomes lost. Further, if the pressure control for holding the line pressure to a minimum, i.e., idling, is adopted, the hydraulic pressure is maintained even lower when the pulleys reverse the direction of rotation, thus generating a belt slip.

The examiner contends that Sakakibara's speed sensors 101, 102 would inherently detect the reverse rotation of the pulleys. Applicants disagree.

First, a speed sensor in a vehicle does not detect a reverse rotation. Indeed, the examiner has not provided any support for the examiner's inherency argument. To support the examiner's inherency argument, the examiner must prove that the speed sensor necessarily has to detect a reverse rotation for it to operate as disclosed in Sakakibara. That is not the case here.

Second, Sakakibara is completely silent regarding the pulleys reversing their rotational direction or correcting the unbalanced condition caused by the reverse rotation of the pulley. Indeed, the examiner does not even make any effort to show that Sakakibara provides such a

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disclosure. Applicants submit that Sakakibara would not have disclosed or taught the claimed pulley reverse rotation detecting means, let alone the line pressure correcting means or the torque-down controlling means set forth in independent claims 1 and 5. Accordingly, Sakakibara could not have anticipated the claimed invention within the meaning of § 102.

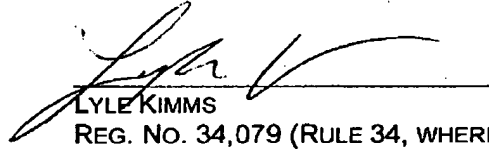
Conclusion

Applicants submit that claims 1-5 patentably distinguish over the applied reference and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicants urge the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

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DATE


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